

## **ORDINANCE 13-05**

### **AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA**

**WHEREAS**, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by IC 36-4-3; and,

**WHEREAS**, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in Exhibit “A” and Exhibit “B” (the “Annexation Area”) have filed a petition with the Council; and,

**WHEREAS**, the Council has conducted a public hearing as required by law with regard to the annexation of the Annexation Area; and,

**WHEREAS**, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with IC 36-4-3-3.1 (Resolution 13-104); and,

**WHEREAS**, the Annexation Area meets the contiguity requirements of IC 36-4-3-1.5; and,

**WHEREAS**, the Council now finds that the statutory criteria for annexation have been met; and,

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:**

**Section 1.** The Annexation Area, generally located on the southeast corner of 151st Street and Setters Road is hereby annexed to and declared to be a part of the City.

**Section 3.** The Annexation Area is hereby assigned to City Council District “1” and shall become a part thereof immediately upon the effective date of this Ordinance.

**Section 4.** This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Robert L. Horkay

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Robert L. Horkay

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Robert L. Horkay

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Robert J. Smith

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Robert J. Smith

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Robert J. Smith

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Cindy L. Spoljaric

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Cindy L. Spoljaric

\_\_\_\_\_  
Cindy L. Spoljaric

\_\_\_\_\_  
Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE 13-05 was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

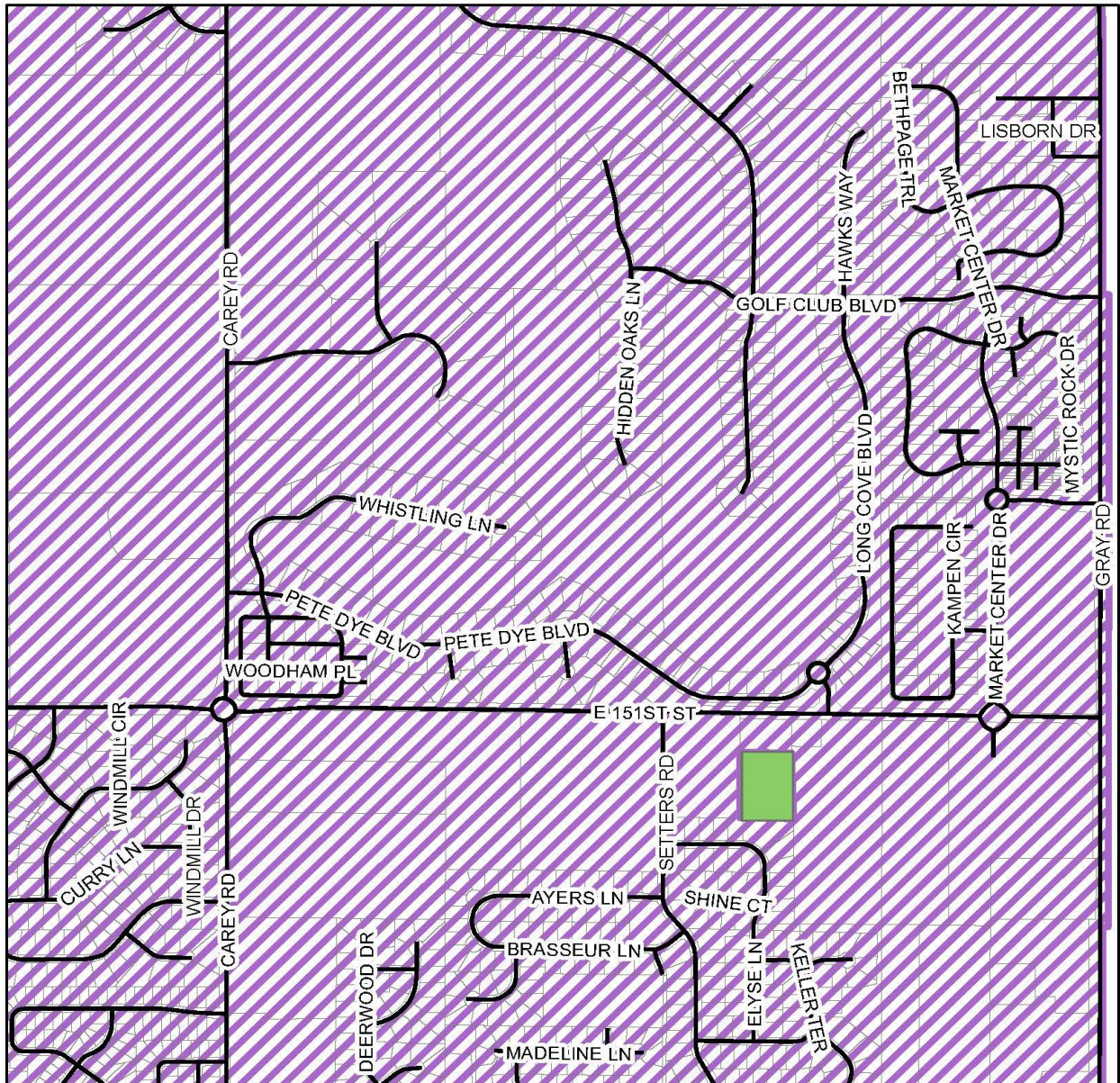
I hereby APPROVE Ordinance 13-05  
this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO Ordinance 13-05  
this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

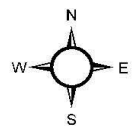
\_\_\_\_\_  
J. Andrew Cook, Mayor

## Exhibit A: Parcel Location Map



### Legend

- Parcel to be Annexed
- Parcels
- Existing City Limits
- Streets



**Exhibit "B"**  
Legal Description of Property to be Annexed

**Parcel # 08-10-17-00-00-014.001**

Part of the Southeast Quarter of Section 17, Township 18 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Southeast Quarter; thence North 89 degrees 52 minutes 47 seconds East along the North line thereof 469.00 feet; thence South 00 degrees 56 minutes 37 seconds East 256.00 feet to the POINT OF BEGINNING of this description; thence North 89 degrees 52 minutes 47 seconds East parallel with the North line of said Quarter Section 332.36 feet; thence South 00 degrees 51 minutes 28 seconds East 407.09 feet; thence South 89 degrees 52 minutes 47 seconds West 331.75 feet; thence North 00 degrees 56 minutes 37 seconds West 407.10 feet to the place of beginning containing 3.103 acres, more or less.